

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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APPLICANTS: Fraki et al.

SERIAL NO.: 10/033,151

ART UNIT: 3679

Technology Center 2600

FILING DATE: 12/26/2001

EXAMINER: Garcia,
Ernesto

TITLE: METHOD AND SYSTEM FOR ADMINISTERING DIGITAL
COLLECTIBLE CARDS

ATTORNEY

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REPLY BRIEF

This is in response to an Examiner's Answer of 24 January 2006.

Regarding the Examiner's Answer, Section 10, "Response to Argument":

In the Appeal Brief Applicants argue not only that the combination of Filler and Yu fails to disclose or suggest:

identifying a user of a cellular mobile phone in the communication network from subscriber identity information of the user in the cellular mobile communication network;

but also that the cited combination further fails to disclose or suggest:

associating a digital collectible trading card with the user based on the subscriber identity information of the user in the cellular mobile communication network received from the cellular mobile phone.

1. With regard to the first element, Applicants clearly state in the Appeal Brief that "Filler has no disclosure related to cellular mobile phones and no disclosure related to subscriber identity information. Yu has no disclosure related to identifying a user of a cellular mobile phone from subscriber identity information."

Filler requires the user to enter a user ID and a password every time the user wants to use his fixed computer workstation to connect to the system. This is not "subscriber identity information" as known in the art. In Yu, a user identifier is only used for finding a certain user account and for generating certain instructions, according to which an image will be pre-processed in a proxy server. This is also not "subscriber identity information" as known in the art.

In cellular mobile phone networks the subscription associated with a certain phone and SIM combination is unambiguously related to a corresponding subscriber. The identification of the user is made in the cellular mobile communication network based on subscriber identification information received from the cellular mobile phone.

Thus, the identifier at issue in the references and the in the present invention is not the same. According to the present

invention, the subscriber identifier, which is used to associate the digital trading card with the user, is the subscriber identifier used in the cellular mobile communications network for the user of the mobile phone.

To the contrary, in Filler the user keys-in a user identification and a password at the computer. This identifier is specific for the trading card system of Filler. It is not used by the Internet, i.e. the communication system. Therefore, the subscriber identifier of Filler is not the subscriber identifier used in the communications network for the user of the terminal.

Furthermore, Yu fails to disclose the features lacking in Filler. In Yu "a subscriber ID [is] created and administered by a carrier administering link server 300 as a part of the procedure to activate a subscriber account for mobile device 350." Thus the subscriber identified in Yu is not the subscriber identifier used in the communications network for the user of the terminal.

Accordingly, the combination of Filler and Yu would only result in a system where the user keys-in the user identifier and corresponding password. Thereafter, the user identifier and corresponding password would be sent from the terminal to the server. The server would couple the user identifier and corresponding password to the specific subscriber ID, which is thus administered by the server. The specific subscriber ID is then used to couple the image to the server and the image can be transmitted to the user terminal.

For these reasons, Applicants respectfully submit that the cited combination fails to disclose or suggest identifying a user of a cellular mobile phone in the communication network from subscriber identity information of the user in the cellular mobile communication network;

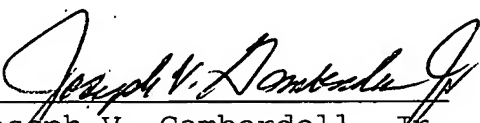
2. With regard to the second element, because both Filler and Yu fail to disclose or suggest subscriber identity information of the user received from the cellular mobile phone, their combination is incapable of disclosing or suggesting association operations based on subscriber identity information received from a cellular mobile phone.

Filler uniquely associates a digital trading card with a purchaser and associates the next available serial number of the collectable card(s) with the user's account. Applicants' process of associating is different because a digital collectible trading card is associated with a user based on the subscriber identity information of the user received from the cellular mobile phone. Associating an image with a user in Yu , only takes place in Yu as a result of a very detailed and definite request explicitly made by the user is not based on subscriber identity of the user received from the cellular mobile phone.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance of the claims is respectfully requested.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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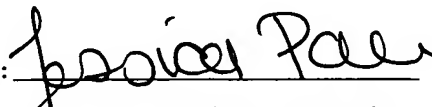
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